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UNITED STATES DISTRICT COURT

for the

Western District of Texas

2015 FEB 13 PM 1:44

United States of America

v.

Juan Manuel Munoz

Case No.

A-15-M-078

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: [Signature] AB

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 10, 2015 in the county of Williamson in the
Western District of Texas, the defendant(s) violated:

Code Section

21 U.S.C. § 846

Offense Description

Attempt or Conspiracy to Distribute Methamphetamines

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

[Signature]

Complainant's signature

TFO Todd Johnson, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 2-13-2015City and state: Austin, Texas

[Signature]

Judge's signature

, United States Magistrate

Printed name and title

AFFIDAVIT

Affiant, Todd Johnson, is a Detective with the Cedar Park Police Department. I have been a Police Officer for 8 years and a Detective for 3 years. The last year I have been assigned as a Task Force Officer (TFO) with the Federal Bureau of Investigations (FBI).

In the month of December 2014, I was provided information from a credible and reliable source that has provided information in the past. This information was corroborated by law enforcement officers and found to be true. The source is working with officers in an attempt to reduce charges. This source advised that there is a Hispanic male that goes by "Leo" sells large amounts of methamphetamines in the Austin area. The reliable source advised that Leo drives a white Ford mustang and lives somewhere in Spicewood, Tx. The reliable source was shown a picture of Munoz, Juan Manuel 09/28/1988 who he positively identified as Leo. Information was also provided by a reliable source that Munoz packages the methamphetamines in a sealed bag and then places that bag into a grocery type plastic bag when he is transporting it.

In January 2015, a tracking order was signed and a tracking device was placed on Munoz's white 2011 Ford Mustang TxLP DNSB576. Over the last 2 months surveillance has been performed on Munoz. While conducting surveillance on Munoz within the last 3 weeks, he was observed coming to a location in Austin that has come up in prior narcotic investigations. Munoz stayed at the residence for a short time and then left in the mustang and went to a Sonic Drive Thru and parked. Munoz then got out of his vehicle and got into the back seat of a waiting vehicle for about 1 minute. Munoz then got back into his vehicle and drove back to the residence he had just left. The other vehicle left Sonic and was stopped by marked units for a traffic violation. A distributable amount Crack/Cocaine was found inside the vehicle.

During the same time frame, on several occasions, Munoz was observed through surveillance going to the same residence and then going to several gas stations and parking lots meeting other vehicles for a few minutes and then leaving. Through my training and experience I know this type of activity to be consistent with narcotic transactions.

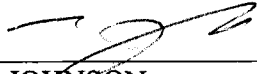
On 02/10/2015, while conducting surveillance on Munoz, he was observed leaving his residence in Spicewood Tx and driving into Austin. Munoz drove to a location in the area of N Lamar and Braker Ln to a "game room" establishment where he parked next to a black Lexus TxLP CNP 7721. This same Lexus was also observed within the last two weeks during another drug deal where the credible and reliable source noted above saw several pounds of methamphetamines in the vehicle. The next time we observed Munoz, he was standing in the center of the parking lot with his back to the game room and facing the two vehicles. There was another Hispanic male with him (later identified as Nieto-Rodriguez, Servando 11/06/1985) and both males were carrying grocery type plastic bags. Rodriguez matched the description of the male that was driving the Lexus during the before mentioned drug deal. Both males got into the Lexus which was driven by Rodriguez. The Lexus then drove to Twin Peaks Bar and grill in Round Rock Tx. Both males got out of the vehicle and went inside the restaurant.

Based on the totality of the circumstances, officers were going to make contact with Munoz and Rodriguez inside the restaurant but they began to leave before we were able to get enough officers there to safely make contact. Marked units stopped Munoz and Rodriguez before they got inside the vehicle to avoid a possible pursuit on a traffic stop. Both subjects were advised that they were not under arrest. Rodriguez had to be placed in handcuffs for officer safety due to him acting agitated and jumpy. Rodriguez, who couldn't produce a driver's license, was advised that he was free to leave but couldn't take the vehicle due to him having no drivers' license. When asked if there was anything illegal in the vehicle Rodriguez advised that there wasn't. When asked if everything in the vehicle belonged to him, he advised that everything was his except two plastic bags that Munoz had brought. Rodriguez gave us consent to search the vehicle. Before the vehicle was searched, an open air sniff was conducted by a narcotics K9. The K9 showed a positive alert for narcotics.

Inside the vehicle we located one plastic grocery type bag under the driver's seat and one plastic grocery type bag under the passenger seat. Inside each bag was a clear zip lock bag that contained 1,009 grams of a crystal substance that field tested positive for methamphetamines. Inside the center console was another small plastic baggie that

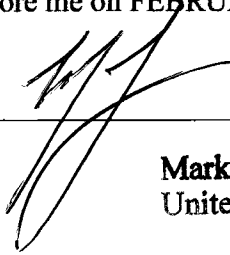
contained 86 grams of a crystal substance that field tested positive for methamphetamines. Total weight of methamphetamines was 2,104 grams.

Based on my training and experience, I know that the amount of narcotics seized is consistent with the distribution of narcotics. Munoz, Juan and Nieto-Rodriguez, Servando possessed with intent to distribute a mixture and substance containing a detectable amount of methamphetamine in violation of 21 U.S.C. § 846.



TODD JOHNSON,
TFO, Federal Bureau of Investigations

Sworn before me on FEBRUARY 13, 2015.



Mark Lane
United States Magistrate Judge